

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,
Petitioner(s),

v.

Case No. 1:12cv600
(J. Weber, Litkovitz, M.J.)

James C. Rack,
Respondent(s).

ORDER

This matter is before the Court on the government's petition to enforce IRS summons (Doc. 1). For good cause shown, the government's petition is **is hereby Granted**.

Upon the petition of the United States, and the declaration and summons attached thereto, it is hereby Ordered that respondent, James C. Rack, appear before the District Court of the United States for the Southern District of Ohio in that branch thereof presided over the Honorable United States Magistrate Judge Karen L. Litkovitz, the undersigned, in the United States Courthouse, at 100 E. Fifth Street, Cincinnati, Ohio 45202 on **September 18, 2012 at 10:00 am in Courtroom 708** to show cause why the respondent should not be compelled to comply with the Internal Revenue Service summons served on respondent on January 26, 2012.

It is further Ordered that a copy of this Order, together with the petition and exhibits thereto, be personally served on respondent James C. Rack, by an official of the Internal Revenue Service within thirty (30) days of the date of this Order.

It is further Ordered within five (5) days of service of copies of this

Order, the petition and exhibits thereto, the respondent shall file and serve a written response to the petition. That if the respondent has any defenses to present or motions to make in opposition to the petition, such defenses or motions, if any, shall be made in writing and filed with the Court, and copies served on the United States Attorney at least five (5) business days prior to the date of the show cause hearing. Only those issues raised by motion or brought into controversy by the responsive pleading shall be considered by the Court and any uncontested allegations in the petition shall be deemed admitted.

And further Ordered that if respondent has no objection to compliance with the summons, respondent may, at least three (3) business days prior to the date of the show cause hearing, notify the clerk of this Court, in writing, with copies to the United States Attorney, of the fact that no response or appearance as ordered herein will be required.

IT SO ORDERED.

8/10/2012
Date

awh

August 10, 2012

Karen L. Litkovitz
KAREN L. LITKOVITZ
U.S. Magistrate Judge